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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,254

09/24/2003

Yuji Okamoto

59880 (70904)

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7590

07/10/2008

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EXAMINER

DHINGRA, PAWANDEEP

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/671,254	Applicant(s) OKAMOTO ET AL.	
	Examiner PAWANDEEP S. DHINGRA	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: Amendment after non-final rejection filed on 03/31/2008.
- Claims 1-6 are pending in the present application.

Response to arguments

Applicant's arguments filed 03/31/2008 have been fully considered but they are not persuasive.

Applicant argues on page 5, paragraphs 2-4, that Gassho fails to teach suspension of an invalidation operation while the invalidation is being performed.

In reply, examiner asserts that Rieko was cited to teach the above argued limitation. Rieko teaches suspension of an invalidation operation while the invalidation is being performed (see discussion of claim 1 below).

Applicant further argues that Rieko fails to teach checking whether the user who requested the suspension of the invalidation is a certified user.

In reply, examiner asserts that Shibata was cited to teach the above argued limitation (see discussion of claim 1 below).

Applicant further argues, on page 6, that Shibata fails to teach that the user can request suspension of an invalidation procedure being performed.

In reply, examiner asserts that Rieko teaches suspension of an invalidation operation while the invalidation is being performed and Shibata teaches permitting the suspension of the invalidation, in response to a request of the suspension of the invalidation by a user, after it is confirmed that the user who requested the suspension

of the invalidation is a certified user (super user is a certified user) (see abstract, figure 3, paragraphs 66-78 and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to combine the teachings of Koakutsu, Gassho, Rieko, and Shibata to obtain the invention as specified in claim 1.

Specification

The amendment filed 03/31/2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

Claims 1 & 5 recite the limitation “the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and **the** processing of **the** image data is performed if approved by the user requesting the suspension”. There is no mention of prioritizing in the specification. Furthermore a suspension of invalidation and data processing are mentioned with regard to urgently processing image data of a “new job” not “the processing of the image data” as recited in claim 1 (see page 39 of the specification). Thus, this limitation is not mentioned or supported by the specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations “the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension” as recited in claims 1 & 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 & 5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1 & 5 recite the limitation “the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension”.

There is no mention of prioritizing in the specification. Furthermore a suspension of invalidation and data processing are mentioned with regard to urgently processing image data of a “new job” not “the processing of the image data” as recited in claim 1 (see page 39 of the specification). Thus, this limitation is not mentioned or supported by the specification.

Claims 1 & 5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1 & 5 recite the limitation “the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension”.

There is no mention of prioritizing in the specification. Furthermore, one with the ordinary skill in the art would be uncertain as how to perform invalidation over processing of **the** image data as recited in claim 1. This means that the image data gets deleted before ever being outputted? This limitation is not mentioned or supported by the specification; hence it is not clear as to what applicant is intending to perform here.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 & 5, the term "normally" in claims 1 & 5 is a relative term, which renders the claim indefinite. The term “normally” is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Furthermore, Claims 1 & 5 recite the limitation “the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and

the processing of the image data is performed if approved by the user requesting the suspension”.

There is no mention of prioritizing in the specification. Furthermore a suspension of invalidation and data processing are mentioned with regard to urgently processing image data of a “new job” not “the processing of the image data” as recited in claim 1 (see page 39 of the specification). Thus, this limitation is not mentioned or supported by the specification. Furthermore, it is unclear to the one with the ordinary skill in the art by reading the specification as how to perform invalidation over processing of **the** image data as recited in claim 1. This means that the image data is deleted before being outputted? This limitation is not mentioned or supported by the specification; hence it is not clear as to what applicant is intending to perform here.

In view of above 112 rejections, the examiner has interpreted and examined the amended claims 1 & 5 to best of his understanding.

Examiner Notes

Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 are rejected under 35 U.S.C. 103 as being unpatentable over Koakutsu et al., US 6,285,459 in view of Gassho et al., US 2002/0032703 further in view of Inoue Rieko et al. (referred as Tokukaihei in this document), JP 09-284572 further in view of Shibata, US 2001/0000360.

Re claim 1, Koakutsu et al. discloses an image processing device (see figure 1), comprising: image data inputting means for inputting image data (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11); image data storing means (see figure 1) for storing the image data inputted by the image data inputting means (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11); image data processing means (see figure 1) for processing the image data stored in the image data storing means (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11); and image data invalidating (i.e. erasing) means (see figure 1) for performing invalidation of the image data (i.e. erasure of image data) stored in the image data storing means (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11).

Koakutsu fails to explicitly disclose the image processing device further comprising: directing means for directing suspension of the invalidation performed by the image data invalidating means while the invalidation is being performed; and permitting means for permitting the suspension of the invalidation being performed, in response to a request of the suspension of the invalidation by the directing means, after it is confirmed that a user who requested the suspension of the invalidation is a certified user, wherein the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension.

However, Gassho et al. discloses the image processing device (i.e. printing system, see figure 1) comprising: directing means for directing suspension (i.e. holding) of the invalidation (i.e. deletion) performed by the image data invalidating (i.e. deleting) means (see figure 5, 11; paragraphs 81-83, and paragraphs 115-116, note that “whether printing job data is held in the hard disk 32 after printing or not can be set not for each of printing jobs but comprehensively, not only from the printer 30 but also from the client 20. Consequently, more convenience can be given to the user”, this way user can select whether he/she wants to suspend the deletion of data by deleting means at the print station after printing has been performed); and permitting means for permitting the suspension (i.e. holding) of the invalidation (i.e. deletion) directed by the directing means (see paragraphs 81-82).

Tokukaihei discloses directing means for directing suspension (stopping) of the invalidation (deletion) performed by the image data invalidating means (see figures 1-3)

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while the invalidation is being performed (see abstract, see figures 4-6, paragraphs 51-56, note that the request for stopping the deletion is made while the deletion process, S402-S404, is being performed in a repetitive manner). Tokukaihei further discloses permitting means for permitting the suspension of the invalidation being performed, in response to a request of the suspension of the invalidation by the directing means (see abstract, figures 1-6, paragraph 51-56, note that the deletion will be stopped in response to the request for stopping the deletion is made by the directing means, hence the request is being permitted, plus, request for stopping the deletion is made while the deletion process, S402-S404, is being performed in a repetitive manner). Tokukaihei further discloses a user (see paragraph 57) who requests the suspension of the invalidation (see paragraphs 51-57), wherein the invalidation is normally prioritized over the processing of the image data (see paragraphs 51-55, note that the invalidation is normally prioritized (normally means when there is no request for stopping the deletion) over the processing of the image data as when step 402 results in Yes), but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension (see paragraphs 51-57, note the request for stopping the deletion is made by the user thus it is apparent that user approves or agrees to it).

Shibata discloses permitting means (see figures 1-2) for permitting the suspension of the invalidation, in response to a request of the suspension of the invalidation by the directing means, after it is confirmed that a user who requested the

suspension of the invalidation is a certified user (super user is a certified user) (see abstract, figure 3, paragraphs 66-78 and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the method of high secret printing as taught by Gassho, image processing method as taught by Tokukaihei (Inoue Rieko), and improved job security function as taught by Shibata for the benefit of heightening the secrecy of the printing job as taught by Gassho in paragraph 124, attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which “allows to cancel or output the accumulated print jobs when a prescribed password different from passwords for the job security function is entered via an operation unit” as taught by Shibata in abstract. Therefore, it would have been obvious to combine the teachings of Koakutsu, Gassho, Rieko, and Shibata to obtain the invention as specified in claim 1.

Re claim 2, Koakutsu fails to explicitly disclose the image data invalidating means continues the invalidation until the suspension of the invalidation is permitted.

However, Tokukaihei discloses the image data invalidating (i.e. deleting) means continues the invalidation (i.e. deletion) until the suspension (i.e. stopping) of the invalidation (i.e. deletion) is permitted (see paragraph 55, note that the deletion will be stopped once the request for stopping the deletion is made, hence the request is being permitted).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the method of high secret printing as taught by Gassho, image processing method as taught by Tokukaihei (Inoue Rieko), and improved job security function as taught by Shibata for the benefit of heightening the secrecy of the printing job as taught by Gassho in paragraph 124, attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which “allows to cancel or output the accumulated print jobs when a prescribed password different from passwords for the job security function is entered via an operation unit” as taught by Shibata in abstract.

Re claim 3, Koakutsu fails to disclose the permitting means permits the suspension of the invalidation after obtaining approval by an administrator who administrates the image processing device.

Shibata discloses permitting means permits the suspension of the invalidation after obtaining approval (i.e. correct password) by an administrator (i.e. user) who administrates the image-processing device (see abstract, figure 3, paragraphs 66-78 and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the method of high secret printing as taught by Gassho, image processing method as taught by Tokukaihei (Inoue Rieko), and improved job security function as taught by

Shibata for the benefit of heightening the secrecy of the printing job as taught by Gassho in paragraph 124, attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which “allows to cancel or output the accumulated print jobs when a prescribed password different from passwords for the job security function is entered via an operation unit” as taught by Shibata in abstract.

Re claim 4, Koakutsu fails to disclose the permitting means permits the suspension of the invalidation by input of a key operator code.

Shibata discloses the permitting means permits the suspension of the invalidation by input of a key operator code (i.e. correct password) (see abstract, figure 3, paragraphs 66-78, and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the method of high secret printing as taught by Gassho, image processing method as taught by Tokukaihei (Inoue Rieko), and improved job security function as taught by Shibata for the benefit of heightening the secrecy of the printing job as taught by Gassho in paragraph 124, attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which “allows to cancel or output the accumulated print jobs when a prescribed password different from passwords for the job security function is entered via an operation unit” as taught by Shibata in abstract.

7. Claims 5-6 are rejected under 35 U.S.C. 103 as being unpatentable over Koakutsu et al., US 6,285,459 in view of Inoue Rieko et al. (referred as Tokukaihei in this document), JP 09-284572 further in view of Shibata, US 2001/0000360.

Re claim 5, Koakutsu et al. discloses an image processing method, comprising the steps of: (a) storing image data and carrying out required image processing with respect to the image data thus stored (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11); and (b) performing invalidation of the image data thus processed so as to prevent reproduction of the image data (see abstract, figures 1-5, column 3, line 54-column 4, line 55; column 2, line 35-column 3, line 11);

Koakutsu fails to disclose (c) when request of suspension of the invalidation is made while the invalidation is being performed after the step (b) is started, carrying out identification of a user who made the request of the invalidation; and (d) suspending the invalidation being performed after confirming that the user who made the request of the invalidation is a certified user, wherein the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension.

However, Tokukaihei discloses request of suspension of the invalidation is made while the invalidation is being performed after the step (b) is started (see abstract, see figures 4-6, paragraphs 51-56, note that the request for stopping the deletion is made while the deletion process, S402-S404, is being performed in a repetitive manner) and

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suspending the invalidation being performed (see paragraphs 51-57), wherein the invalidation is normally prioritized over the processing of the image data (see paragraphs 51-55, note that the invalidation is normally prioritized (normally means when there is no request for stopping the deletion) over the processing of the image data as when step 402 results in Yes), but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension (see paragraphs 51-57, note the request for stopping the deletion is made by the user thus it is apparent that user approves or agrees to it).

Shibata discloses carrying out identification of a user who made the request of invalidation (see abstract, paragraphs 66-78, and 85-93), and (d) suspending (i.e. canceling) the invalidation after confirming that the user who made the request of the invalidation is a certified user (see abstract, figures 3 & 6, paragraphs 66-78, and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the image processing method as taught by Tokukaihei, and improved job security function as taught by Shibata in order to obtain the claimed invention by substituting the commands for printing as taught by Shibata with invalidation commands as taught by Koakutsu & Tokukaihei for the benefit of attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which “allows to cancel or output the accumulated print jobs when a prescribed password

different from passwords for the job security function is entered via an operation unit" as taught by Shibata in abstract.

Re claim 6, Koakutsu fails to disclose in the step (c), the identification of the user who made the request of the invalidation is carried out by input of a key operator code.

However, Shibata discloses the identification of the user who made the request of the invalidation or printing is carried out by input of a key operator code (i.e. password) (see abstract, paragraphs 66-78, and 85-93).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing apparatus as disclosed by Koakutsu to include the image processing method as taught by Tokukaihei, and improved job security function as taught by Shibata in order to obtain the claimed invention by substituting the commands for printing as taught by Shibata with invalidation commands as taught by Koakutsu & Tokukaihei for the benefit of attaining satisfactory security for the image data stored in the memory as taught by Tokukaihei in abstract, and having a system which "allows to cancel or output the accumulated print jobs when a prescribed password different from passwords for the job security function is entered via an operation unit" as taught by Shibata in abstract.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morikawa, US 7019852, see whole document.

Akiba et al., US 6559967, see whole document.

Chrisop et al., US 2001/0025343, see whole document.

Dan et al., US 7,230,731, see document for password validation.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAWANDEEP S. DHINGRA whose telephone number is (571)270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. D./

Examiner, Art Unit 2625

/Twyler L. Haskins/

Supervisory Patent Examiner, Art Unit 2625